

-Remarks-

Entry of the above amendments and reconsideration and withdrawal of the rejection of Claims 1-17, as amended, is respectfully requested. Applicants have amended Claims 1, 12 and 16 to substitute the word "comprising" for the word "include" or "including." Applicants have amended Claim 1 to delete the terms "solvate" and "polymorph" therefrom. Applicants have also canceled Claims 18 and 19, without waiver or prejudice, and amended Claim 20 in anticipation of the allowance of Claims 1-17 and rejoinder of a method claim. No new subject matter has been added by these amendments. Applicants reserve the right to file divisional or continuation applications directed to nonallowed subject matter of this application.

Restriction Requirement.

The Examiner has required restriction of the instant application to one of two Groups as set forth in the Office Action:

Group (I), claims 1-17, drawn to pyrazolo[4,3-d]pyrimidines and simple compositions thereof; and

Group (II), claims 18-20, drawn to methods of treatment using the compounds of claim 1.

Applicants hereby affirm the election of Group I, i.e., claims 1-17, which are drawn to 2,4-diamino-pyrazolo[4,3-d]pyrimidine and compositions thereof, without traverse.

Applicants gratefully acknowledge that the Examiner has offered to rejoin a method upon finding a product claim patentable. Applicants respectfully request that Claim 20 be rejoined in that instance.

35 U.S.C. §112, second paragraph rejections.

Claims 1-10 and 12-17 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has alleged that the term "includes" is open-ended and that the metes and bounds of the claims therefore cannot be ascertained. Applicants have amended Claims 1, 12 and 16 to replace the term "include" or "including" with "comprising." Applicants submit that this rejection is therefore moot.

Claims 1-17 have been rejected under 35 U.S.C. §112, second paragraph as not being enabled for the full scope of the meaning of solvate or polymorph of a compound of Claim 1. While not necessarily agreeing with the rejection but in the interest of advancing prosecution, Applicants have amended Claim 1 to remove the terms "solvate" and "polymorph" therefrom. Applicants submit that this rejection is therefore moot.

Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. §112, second paragraph, rejections of Claims 1-17, as amended.

-Conclusion-

Applicants, having responded to all points and concerns raised by the Examiner, believe this application to be in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

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